

MINUTES
LANCASTER COUNTY BOARD OF COMMISSIONERS
TUESDAY, AUGUST 12, 2003
COUNTY COMMISSIONERS CHAMBERS, ROOM 112
FIRST FLOOR, COUNTY-CITY BUILDING
1:30 P.M.

Commissioners Present: Bernie Heier, Chair
Ray Stevens, Vice Chair
Bob Workman

Commissioners Absent: Larry Hudkins
Deb Schorr

Others Present: Kerry Eagan, Chief Administrative Officer
David Johnson, Deputy County Attorney
Bruce Medcalf, County Clerk

The Board of Commissioners meeting was called to order at 1:30 p.m..

- 1) **MINUTES:** Approval of the minutes of the Board of Commissioners meeting held on Tuesday, August 5, 2003.

MOTION: Workman moved and Stevens seconded approval of the minutes of the Board of Commissioners meeting dated August 5, 2003.
Workman, Stevens and Heier voted aye. Motion carried.

- 2) **PUBLIC COMMENT:**

Bob Valentine, 2660 Park Avenue, appeared and asked if the County would take full advantage of the re-valuation or if they would adjust the mill levy rate downward.

Heier responded that wouldn't be known until the budget is adopted.

Workman stated the Board did vote on the proposed budget and it appears that the property tax request from the taxpayers will increase approximately 14 percent.

Heier added that the full Board did vote on the proposed budget, however, it was not unanimous.

3) **CLAIMS FOR REVIEW:**

- A. **Payment Voucher 782-4189, dated August 4, 2003 - Juvenile Mental Health (Families First and Foremost) has requested payment to Family Services Association, in the amount of \$6,078.63, for June payment on County Contract C-02-0479. This will bring the total paid on said contract above the contracted amount.**

Renee Dozier, Office of Juvenile Mental Health, requested the claim for review be held until additional information is received from the provider.

By direction of the Chair, the claim for review (Payment Voucher 782-4189) was held.

4) **CLAIMS: Approval of all claims processed through Tuesday, August 12, 2003.**

MOTION: Stevens moved and Workman seconded approval of all claims processed through August 12, 2003. Workman, Stevens and Heier voted aye. Motion carried.

5) **OLD BUSINESS:**

- A. **An agreement with Randall Funding & Development, Inc. for professional services to raise grant funds for Lancaster County. The contractor shall write grant applications to obtain at least \$1,000,000 in grant approvals for the County. The County will provide the contractor with authorization to apply for a minimum of \$3,500,000 in grant opportunities. (C-02-0232)**

MOTION: Workman moved and Stevens seconded approval of an agreement with Randall Funding & Development, Inc. for professional services to raise grant funds for Lancaster County. The contractor shall write grant applications to obtain at least \$1,000,000 in grant approvals for the County. Stevens, Workman and Heier voted aye. Motion carried.

5) OLD BUSINESS CONTINUED:

- B. An agreement with the City of Lincoln for the paving and construction of the Cheney Connector which involves rerouting the current section of South 91st Street into the town of Cheney, which will turn west and tie into a new arterial section of South 91st Street. The City is responsible for the cost of paving and construction of the project and responsible for maintenance on the new section of South 91st Street. The County shall give the City permission to perform the work and shall be responsible for maintenance on what is described as the Cheney Connection. (C-03-0304)**

David Johnson, Deputy County Attorney, explained that the agreement was held for the inclusion of additional language as requested by his office. He indicated that the language has been provided for through an amendment which appears under New Business.

MOTION: Stevens moved and Workman seconded approval of an agreement with the City of Lincoln for the paving and construction of the Cheney Connector which involves rerouting the current section of South 91st Street into the town of Cheney, which will turn west and tie into a new arterial section of South 91st Street. Stevens, Workman and Heier voted aye. Motion carried.

- C. An agreement with the City of Lincoln for medical services 24 hours a day to be provided through the Lincoln-Lancaster County Health Department. The term of the agreement is July 1, 2003 to June 30, 2004. The County shall pay based upon the following rates: (C-03-0357)**

- % A single monthly fee of \$621.43 per month for round the clock availability of professional services.
- % A sum of \$45,575, payable in 12 monthly payments of \$3,797.92, for one full-time registered nurse provided for under the agreement.
- % A sum of \$11,310 for a part-time, on-call registered nurse.
- % \$78.60 per physician's visit to the Juvenile Detention Center.
- % \$8.41 per telephone conversation with the physician.
- % Physical examination/assessment completed at actual cost.
- % \$35 per dose of Hepatitis B vaccine for each employee.
- % \$10 per tuberculosis test for each employee.
- % \$20 employment assessment for each employee.

5) **OLD BUSINESS CONTINUED:**

- % \$40 per hour for on-site lab services by a lab technician.
- % Should the County Attorney's Office require conferences, meetings, or in-court testimony of nurses, it shall be billed to the County at the rate of \$42.50 per hour.
- % Should the County Attorney's Office require conferences, meetings or in-court testimony of physicians, it shall be billed to the County at the rate of \$78.60 per hour.

MOTION: Workman moved and Stevens seconded approval of an agreement with the City of Lincoln for medical services 24 hours a day to be provided through the Lincoln-Lancaster County Health Department. The term of the agreement is July 1, 2003 to June 30, 2004. Stevens, Workman and Heier voted aye. Motion carried.

6) **NEW BUSINESS:**

A. An application for a Special Designated License from B & B-Q Inc. d/b/a Cheerleaders to hold a wedding reception on Sunday, August 31, 2003 from 4 p.m. to 1 a.m. at Country Pines, located at 6305 West Adams Street, Lincoln, Lancaster County, Nebraska.

MOTION: Stevens moved and Workman seconded approval of an application for a Special Designated License from B & B-Q Inc. d/b/a Cheerleaders to hold a wedding reception on Sunday, August 31, 2003 from 4 p.m. to 1 a.m. at Country Pines, located at 6305 West Adams Street, Lincoln, Lancaster County, Nebraska. Stevens, Workman and Heier voted aye. Motion carried.

B. An application for a Special Designated License from B & B-Q Inc. d/b/a Cheerleaders to hold a wedding reception on Saturday, October 18, 2003 from 3 p.m. to 1 a.m. at Country Pines, Located at 6305 West Adams Street, Lincoln, Lancaster County, Nebraska.

Johnson stated that documents from the County Clerk and the Sheriff's Office indicate a date of October 8, 2003 instead of October 18th which is the correct date. He also stated he visited with the Sheriff's Office and they have indicated their recommendation would not change for the October 18th date.

6) **NEW BUSINESS CONTINUED:**

MOTION: Workman moved and Stevens seconded approval of an application for a Special Designated License from B & B-Q Inc. d/b/a Cheerleaders to hold a wedding reception on Saturday, October 18, 2003 from 3 p.m. to 1 a.m. at Country Pines, Located at 6305 West Adams Street, Lincoln, Lancaster County, Nebraska. Workman, Stevens and Heier voted aye. Motion carried.

C. An application for a Special Designated License from Millenium Wines, Inc. to hold a wine tasting festival on Friday, August 29, 2003 from 6 p.m. to 9 p.m. and on Saturday, August 30, 2003 from 10 a.m. to 9 p.m. in connection with the Nebraska State Fair.

MOTION: Stevens moved and Workman seconded approval of an application for a Special Designated License from Millenium Wines, Inc. to hold a wine tasting festival on Friday, August 29, 2003 from 6 p.m. to 9 p.m. and on Saturday, August 30, 2003 from 10 a.m. to 9 p.m. in connection with the Nebraska State Fair.

Pat Lloyd, Nebraska State Fair General Manager, appeared and gave an overview of the application stating that the event is an educational program, not only in the process of wine making, but it's role in Nebraska's agricultural economy.

In response to a question asked by Stevens regarding location, Lloyd indicated the area is catty-corner from the 4-H building.

ROLL CALL: Stevens, Workman and Heier voted aye. Motion carried.

D. Supplemental agreement number 1 with the State of Nebraska, Department of Roads for Project BR-3280(3), which is Sprague East and County Structure T-109. The County previously entered into a program agreement with the State regarding this project on November 5, 2002. Due to a change in the State-Aid bridge funds it is necessary to supplement the agreement. The Federal aid remains at 80 percent, but the State aid shall be five percent and the County will pay 15 percent of the costs. All other terms and conditions of the original agreement still apply. (C-03-0401)

6) **NEW BUSINESS CONTINUED:**

MOTION: Workman moved and Stevens seconded approval of supplemental agreement number 1 with the State of Nebraska, Department of Roads for Project BR-3280(3), which is Sprague East and County Structure T-109. Workman, Stevens and Heier voted aye. Motion carried.

E. An agreement with Frontier Insurance and Randall Funding and Development, Inc. to recognize the use of Randall Funding and Development to satisfy the terms of the insurance bond of which Frontier is the surety. The agreement recognizes that the County has reserved the right to demand performance under the bond if the services bargained for are not provided. The County was to originally receive grant writing services from Griffin Grant Writing. (C-03-0440)

MOTION: Stevens moved and Workman seconded approval of an agreement with Frontier Insurance and Randall Funding and Development, Inc. to recognize the use of Randall Funding and Development to satisfy the terms of the insurance bond of which Frontier is the surety. Workman, Stevens and Heier voted aye. Motion carried.

F. A network provider agreement with Region V Human Service Program for certain mental health, alcoholism, substance abuse and related behavioral mental health services at the Community Mental Health Center. The term of the agreement is from July 1, 2003 to June 30, 2004. The County shall be reimbursed up to \$4,367,865 for the services. (C-03-0399)

By direction of the Chair, the agreement was held.

G. An agreement with Barb A. Baier for professional services in the areas of grant writing and program development on behalf of the Office of Juvenile Mental Health. The term of the agreement is from July 14, 2003 to May 1, 2004. The County shall pay up to \$50,000 for the services. (C-03-0416)

By direction of the Chair, the agreement was held.

6) NEW BUSINESS CONTINUED:

H. An amendment to an agreement with the City of Lincoln for the Cheney Connection Project which was approved by the City on June 6, 2003. The amendment requires the City to accept control of the construction area for which they are responsible during the construction project. (C-03-0398)

MOTION: Workman moved and Stevens seconded approval of an amendment to an agreement with the City of Lincoln for the Cheney Connection Project which was approved by the City on June 6, 2003. Stevens, Workman and Heier voted aye. Motion carried.

I. A resolution approving an agreement between the Public Building Commission and Woods Brothers Realtors for the purchase of real estate described as 805 "H" Street. The real estate shall be used for additional parking for the County and City and will cost \$73,900, the proceeds for which will come from the parking garage bonds. (R-03-0072)

MOTION: Stevens moved and Workman seconded approval of Resolution 03-0072 approving an agreement between the Public Building Commission and Woods Brothers Realtors for the purchase of real estate described as 805 "H" Street. The real estate shall be used for additional parking for the County and City and will cost \$73,900, the proceeds for which will come from the parking garage bonds. Workman, Stevens and Heier voted aye. Motion carried.

J. A resolution authorizing the installation of temporary "advisory speed limit 35 M.P.H." signs at the following locations in Lancaster County, Nebraska: (R-03-0073)

- ▶ On Pella Road east of South 68th Street for eastbound traffic
- ▶ On Pella Road west of South 82nd Street for westbound traffic
- ▶ On South 82nd Street south of Pella Road for southbound traffic
- ▶ On South 82nd Street north of Firth Road for northbound traffic

These signs will be on the posted detour for the Firth Viaduct and will be removed when the project is completed and Firth Road is reopened.

6) **NEW BUSINESS CONTINUED:**

MOTION: Workman moved and Stevens seconded approval of Resolution 03-0073. Stevens, Workman and Heier voted aye. Motion carried.

K. Recommendation from the Purchasing Agent and the County Records and Information Manager to award a bid to Prescott Heald & Son, Inc. for archival record storage shelving. The project will be split into two phases due to budget concerns. Phase I, in the amount of \$9,074, will be ordered and installed in the 2003-2004 budget year. Phase II, in the amount of \$6,971, will be proposed as part of the 2004-2005 budget allocations. An additional \$250 will be charged over the base bid to cover splitting the order and paying for two separate shipments and installations. (B-03-0019)

John Swenson, Cornhusker State Industries, appeared and expressed his concerns regarding the bidding procedure.

Kathy Smith, Assistant Purchasing Agent, explained the bidding procedure using the life cycle cost analysis. She said everyone went through the same process and it was determined that Prescott Heald was the low bidder.

MOTION: Stevens moved and Workman seconded to award a bid to Prescott Heald & Son, Inc. for archival record storage shelving, in the amount of \$15,785. Workman, Stevens and Heier voted aye. Motion carried.

L. Recommendation from the Lancaster County Personnel Policy Board to create the following classifications:

<u>Class Code</u>	<u>Class Title</u>	<u>Proposed Pay Grade</u>
5762	Community Corrections Field Specialist	C15 (\$25,735.84 - \$33,800)
5763	Community Corrections Case Worker	C16 (\$26,915.20 - \$25,299.68)
5764	Community Corrections Screening Clinician	C21 (\$33,800 - \$44,137.60)
5765	Community Corrections Coordinator	C23 (\$36,897.12 - \$48,432.80)

MOTION: Stevens moved and Workman seconded approval of the recommendation from the Lancaster County Personnel Policy Board to create the following classifications: Community Corrections Field Specialist, Community Corrections Case Worker, Community Corrections Screening Clinician and Community Corrections Coordinator. Workman, Stevens and Heier voted aye. Motion carried.

6) **NEW BUSINESS CONTINUED:**

M. An application for a Special Designated License from James Arthur Vineyards, LLC to hold a wine tasting festival on Friday, August 29, 2003 from 6 p.m. to 9 p.m. and on Saturday, August 30, 2003 from 10 a.m. to 9 p.m. in connection with the Nebraska State Fair.

MOTION: Workman moved and Heier seconded approval of an application for a Special Designated License from James Arthur Vineyards, LLC to hold a wine tasting festival on Friday, August 29, 2003 from 6 p.m. to 9 p.m. and on Saturday, August 30, 2003 from 10 a.m. to 9 p.m. in connection with the Nebraska State Fair.

Stevens stated he would prefer to hold the applications in relation to Items 6M through 6O for one week to allow the Sheriff's Office time to prepare a written recommendation indicating they have no objections.

ROLL CALL: Workman and Heier voted yes. Stevens voted no. Motion carried.

Captain Todd Duncan, Sheriff's Office, appeared and indicated they would have no objections to the applications in relation to New Business Items 6M, 6N and 6O. He said they appear to be the same as the application from Millenium Wines which was approved. Duncan further stated that if the Board chooses to defer the items for one week to allow his office to draft a written recommendation they would do so.

N. An application for a Special Designated License from McFarland Family Farms LLC to hold a wine tasting festival on Friday, August 29, 2003 from 6 p.m. to 9 p.m. and on Saturday, August 30, 2003 from 10 a.m. to 9 p.m. in connection with the Nebraska State Fair.

MOTION: Workman moved and Stevens seconded approval of an application for a Special Designated License from McFarland Family Farms LLC to hold a wine tasting festival on Friday, August 29, 2003 from 6 p.m. to 9 p.m. and on Saturday, August 30, 2003 from 10 a.m. to 9 p.m. in connection with the Nebraska State Fair. Workman, Stevens and Heier voted aye. Motion carried.

6) **NEW BUSINESS CONTINUED:**

- O. An application for a Special Designated License from Lovers Leap Vineyards LLC to hold a wine tasting festival on Friday, August 29, 2003 from 6 p.m. to 9 p.m. and on Saturday, August 30, 2003 from 10 a.m. to 9 p.m. in connection with the Nebraska State Fair.

MOTION: Workman moved and Stevens seconded approval of an application for a Special Designated License from Lovers Leap Vineyards LLC to hold a wine tasting festival on Friday, August 29, 2003 from 6 p.m. to 9 p.m. and on Saturday, August 30, 2003 from 10 a.m. to 9 p.m. in connection with the Nebraska State Fair.

Stevens noted there have been a number of applications which have been untimely filed in the past few weeks. He said the County has guidelines in place and hopes that applicants realize that the applications do need to be reviewed.

ROLL CALL: Stevens, Workman and Heier voted aye. Motion carried.

- 7) **CONSENT ITEMS:** These are items of business that are routine which are expected to be adopted without dissent. Any individual item may be removed for special discussion and consideration by a Commissioner or by any member of the public without prior notice. Unless there is an exception, these items will be approved as one with a single vote of the Board of Commissioners. These items are approval of:

A. **Receive and Place on File:**

1. County Clerk's Monthly Report for July, 2003.
2. County Engineer's Report for April, May and June, 2003.
3. County Engineer's Report for the Geographic Information System (GIS) Division for April, May and June, 2003.
4. Lancaster Manor's Monthly Report.
5. Lincoln City Libraries Director's Report for June, 2003.

- B. Setting of a public hearing for Tuesday, August 19, 2003 at 7 p.m. in the County Commissioners Chambers, Room 112, on the first floor of the County -City Building regarding Lancaster County's proposed budget for fiscal year 2003-2004.

7) CONSENT ITEMS CONTINUED:

- C. Setting of a public hearing for Tuesday, August 26, 2003 at 1:30 p.m. in the County Commissioners Chambers, Room 112, on the first floor of the County-City Building regarding County Special Permit 203, requested by Nextel Partners, Inc., for authority to construct a 420 foot broadcast tower for wireless facilities, on property generally located southeast of the intersection of North 1st Street and Ashland Road in Lancaster County, Nebraska.
- D. Request from Erika Wachal, an employee at Lancaster Manor, to voluntarily participate in the Lancaster County Retirement Plan having met the requirements.
- E. Request from Lindsay Mannschreck, an employee with the Community Mental Health Center, to voluntarily participate in the Lancaster County Retirement Plan having met the requirements.
- F. A permanent easement agreement relating to road improvements between the Lancaster County Engineering Department and Omaha Public Power District; Project C55-QR-408(1), South 120th Street and Rokeby Road. (C-03-0404)
- G. Right-of-way contracts relating to road improvements between the Lancaster County Engineering Department and the following:
- ▶ Rodney K. and Lecia A. Teten, in the total amount of \$1,585.32, on Northwest 84th Street from Adams Street to Highway 34; Project C55-EM-401(1). (2 contracts) (C-03-0405 and C-03-0406)
 - ▶ Aginvest, L.L.C., in the total amount of \$14,932.20, on Northwest 84th Street from Adams Street to Highway 34. (3 contracts) (C-03-0407 through C-03-0409)
 - ▶ Phillip R. and Sandra C. Williamson, in the total amount of \$4,386.75, on Northwest 84th Street from Adams Street to Highway 34; Project C55-EM-401(2). (3 contracts) (C-03-0410 through C-03-0412)
 - ▶ D & C, Inc., in the total amount of \$7,144.75, on Northwest 84th Street from Adams Street to Highway 34; Project C55-EM-401(2). (3 contracts) (C-03-0413 through C-03-0415)

MOTION: Stevens moved and Workman seconded approval of the Consent Items. Stevens, Workman and Heier voted aye. Motion carried.

8) **ADJOURNMENT:**

MOTION: Stevens moved and Workman seconded adjournment of the Board of Commissioners meeting at 2:25 p.m.. Stevens, Workman and Heier voted aye. Motion carried.

Bruce Medcalf
County Clerk

**MINUTES
LANCASTER COUNTY BOARD OF EQUALIZATION
TUESDAY, AUGUST 12, 2003
COUNTY COMMISSIONERS CHAMBERS, ROOM 112
FIRST FLOOR, COUNTY-CITY BUILDING
IMMEDIATELY FOLLOWING THE REGULAR BOARD OF COMMISSIONERS
MEETING**

Commissioners Present: Bernie Heier, Chair
Ray Stevens, Vice Chair
Bob Workman

Commissioners Absent: Larry Hudkins
Deb Schorr

Others Present: Norm Agena, County Assessor/Register of Deeds
Kerry Eagan, Chief Administrative Officer
David Johnson, Deputy County Attorney
Bruce Medcalf, County Clerk

The Board of Equalization meeting was called to order at 2:25 p.m..

- 1) **MINUTES: Approval of the minutes of the Board of Equalization meeting held on Tuesday, August 5, 2003.**

MOTION: Workman moved and Stevens seconded approval of the minutes of the Board of Equalization meeting dated August 5, 2003. Workman, Stevens and Heier voted aye. Motion carried.

- 2) **PUBLIC COMMENT:**

There was no public comment and the meeting proceeded as planned.

- 3) **ADDITIONS AND DEDUCTIONS TO THE TAX ASSESSMENT ROLLS:**

Approval of 11 additions and deductions to the tax assessment rolls per Exhibit A.

MOTION: Stevens moved and Workman seconded approval of the additions and deductions to the tax assessment rolls. Stevens, Workman and Heier voted aye. Motion carried.

4) **NOTICE OF VALUATION CHANGE FOR UNDERVALUED OR OMITTED PROPERTY:**

Infinity S Development Company

Norm Agena, County Assessor/Register of Deeds, recommended a value of \$71,280.

MOTION: Stevens moved and Workman seconded to accept the recommendation of the County Assessor/Register of Deeds and set the value at \$71,280 for Infinity S Development Company. Workman, Stevens and Heier voted aye. Motion carried.

5) **APPROVAL OF A 451 TAX EXEMPTION ON REAL PROPERTY FOR 2003:**

Lincoln School District Leasing Corporation

MOTION: Workman moved and Stevens seconded to accept the recommendation of the County Assessor/Register of Deeds and approve the 451 tax exemption on real property for 2003 for Lincoln School District Leasing Corporation. Stevens, Workman and Heier voted aye. Motion carried.

6) **DENIAL OF 451 TAX EXEMPTIONS ON REAL PROPERTY FOR 2003 FOR THE FOLLOWING:**

Madonna Rehabilitation Hospital (2 exemptions)

MOTION: Stevens moved and Workman seconded to accept the recommendation of the County Assessor/Register of Deeds and deny the 451 tax exemption on real property for 2003 for Madonna Rehabilitation Hospital (2 exemptions). Stevens, Workman and Heier voted aye. Motion carried.

St. Elizabeth Regional Medical Center

Charles Pallesen, attorney representing St. Elizabeth Regional Medical Center, appeared and gave a brief overview of the property.

Agenda recommended deferral for one week to obtain additional information from St. Elizabeth Regional Medical Center.

This item was deferred for one week.

7) **REMOVAL OF 451A TAX EXEMPTION ON REAL/PERSONAL PROPERTY FOR 2003:**

Catholic Bishop of Lincoln, Inc. (2 exemptions)

MOTION: Stevens moved and Workman seconded to accept the recommendation of the County Assessor/Register of Deeds and remove the 451A tax exemption on real/personal property for 2003 for the Catholic Bishop of Lincoln, Inc. (2 exemptions). Stevens, Workman and Heier voted aye. Motion carried.

8) **ADJOURNMENT:**

MOTION: Stevens moved and Workman seconded adjournment of the Board of Equalization meeting at 2:40 p.m.. Workman, Stevens and Heier voted aye. Motion carried.

Bruce Medcalf
County Clerk